

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Todd A. Lauffenburger
Mary E. Lauffenburger
Debtor(s)

Bankruptcy Case No.: 18-10117-TPA
Per September 4, 2018 Proceeding
Chapter: 13
Docket No.: 37 – 22, 29
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 12, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: 1) The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified Plan interest in monthly amount to be determined by Trustee to pay in full: Santander (Claim No. 2); PHFA/HEMAP (Claim No. 5) with interst (Per Plan) on principal balance of \$5,779.08 and 0% interest on interest balance of \$63.00; LVNV (Claim No. 6).
2) Attorney Fees to be based on retainer of \$290.00.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: September 11, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Todd A. Lauffenburger
 Mary E. Lauffenburger
 Debtors

Case No. 18-10117-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

Page 1 of 2
 Total Noticed: 31

Date Rcvd: Sep 11, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 13, 2018.
 db/jdb

+Todd A. Lauffenburger, Mary E. Lauffenburger, 448 Cable Hollow Rd.,
 Russell, PA 16345-4912
 14794673 Bay City OrthoCare, LLC, 2313 Peach Street, Erie, PA 16502-2822
 14794674 +Bureau of Individual Taxes, PO Box 280432, Harrisburg, PA 17128-0432
 14794675 +Bureau of Taxes, Po Box 280432, Harrisburg, PA 17128-0432
 14794676 +Central Credit, Po Box 735, Sunbury, PA 17801-0735
 14794678 +Coll Service Center, P.O. Box 560, New Kensington, PA 15068-0560
 14794679 +Direct TV, Po Box 5007, Carol Stream, IL 60197-5007
 14816318 +FirstEnergy/Penelec, 101 Crawford's Corner Rd., Bldg. #1, Ste. 1-511,
 Holmdel, NJ 07733-1976
 14780775 GLHEC & Aff obo USAF, PO Box 8961, Madison WI 53708-8961
 14772819 +Greater Lakes Higher Education, PO Box 7860, Madison, WI 53707-7860
 14772820 +Key Map, 211 North Front Street, PO Box 15206, Harrisburg, PA 17105-5206
 14772821 +Mr. Cooprer formerly Nationstar Mortgage, 8950 Cypress Waters Blvd., Coppell, TX 75019-4620
 14794681 +NATIONAL FUEL GAS DISTRIBUTION CORPORATION, ATTN BANKRUPTCY DEPT, 6363 MAIN STREET,
 WILLIAMSVILLE NY 14221-5887
 (address filed with court: National Fuel, Po Box 371835, Pittsburgh, PA 15250)
 14794295 +Nationstar Mortgage LLC d/b/a Mr. Cooper, P.O. Box 619096, Dallas, TX 75261-9096
 14794682 Penelec, PO Box 16001, Reading, PA 19612-6001
 14772822 +Pioneer Credit Recovery, 26 Edward Street, Arcade, NY 14009-1012
 14794684 +Quality Asset Recovery, 7 Foster Ave., Suite 101, Gibbsboro, NJ 08026-1191
 14784268 +SANTANDER CONSUMER USA, P.O. Box 560284, Dallas, TX 75356-0284
 14772823 +Santander, PO Box 105255, Atlanta, GA 30348-5255
 14794685 +Shellpoint, c/o LVNV Funding LLC, 200 Meeting Street, Suite 206,
 Charleston, SC 29401-3187
 14772824 +Shellpoint Mortgage, 55 Beattie Place, Suite 500, Greenville, SC 29601-5116
 14794686 +TransWorld Magazie, Po Box 422108, Palm Coast, FL 32142-2108
 14794687 +Transworld Systems Inc., 300 Cedar Ridge Dr., Suite 307, Pittsburgh, PA 15205-1159
 14812284 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 14794688 +Warren Medical Group, 2 Crescent Park, Warren, PA 16365-2111

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 14794677 +E-mail/Text: compliance@chaserec.com Sep 12 2018 02:06:41 Chase Receivable, 1247 Broadway,
 Sonoma, CA 95476-7503
 14800684 E-mail/PDF: resurgentbknofications@resurgent.com Sep 12 2018 02:15:38 LVNV FUNDING, LLC,
 C/O SHELLPOINT MORTGAGE SERVICING, PO BOX 10826, GREENVILLE SC 29603-0826
 14786150 +E-mail/Text: bankruptcydpt@mcmcg.com Sep 12 2018 02:06:05 MIDLAND FUNDING LLC,
 PO BOX 2011, Warren MI 48090-2011
 14794680 +E-mail/Text: bankruptcydpt@mcmcg.com Sep 12 2018 02:06:05 Midland Funding LLC,
 2365 Northside Drive, Suite 300, San Diego, CA 92108-2709
 14798692 E-mail/Text: blegal@phfa.org Sep 12 2018 02:06:09 PHFA/HEMAP, 211 NORTH FRONT ST,
 PO BOX 8029, HARRISBURG, PA 17105
 14794683 +E-mail/Text: blegal@phfa.org Sep 12 2018 02:06:09 PHFA/HEMAP, 211 North Front Street,
 PO Box 15206, Harrisburg, PA 17105-5206

TOTAL: 6

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Nationstar Mortgage LLC d/b/a Mr. Cooper
 14794689* +Warren Medical Group, 2 Crescent Park, Warren, PA 16365-2111
 14794690* +Warren Medical Group, 2 Crescent Park, Warren, PA 16365-2111

TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 13, 2018

Signature: /s/Joseph Speetjens

District/off: 0315-1

User: vson
Form ID: 149

Page 2 of 2
Total Noticed: 31

Date Rcvd: Sep 11, 2018

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 11, 2018 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
bkgroup@kmlawgroup.com

Kenneth M. Steinberg on behalf of Joint Debtor Mary E. Lauffenburger

julie.steidl@steidl-steinberg.com,
kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-steinberg.com;lesl
ie.nebel@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@stei
dl-steinberg.com

Kenneth M. Steinberg on behalf of Debtor Todd A. Lauffenburger

julie.steidl@steidl-steinberg.com,
kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-steinberg.com;lesl
ie.nebel@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@stei
dl-steinberg.com

Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5